



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth D. Eisenbraun et al.

Attorney Docket: KDE-18103/03

Serial No.: 10/691,765

Group Art Unit: 3727

Filed: October 23, 2004

Confirmation No. 6717

For: INFLATABLE VEHICLE CUP HOLDER

**REQUEST FOR RECONSIDERATION OF
REQUEST FOR CORRECTED FILING RECEIPT**

Attn. Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant received a Response to Request for Corrected Filing Receipt (copy enclosed), stating that the application(s), to which priority is claimed, were filed over a year prior to the filing date of this application, and therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.

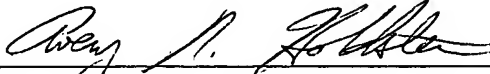
Applicant is claiming that *this* application is a divisional of Serial No. 09/951,082 filed 09/12/2001 (now Patent No. 6,637,617), which is indicated on the Filing Receipt. However, to complete the continuing priority data, the Filing Receipt should also indicate that Serial No. 09/951,082 filed 09/12/2001 claims benefit of provisional Serial No. 60/2231,797 filed 09/11/2000.

Applicant believes the priority claim is proper, and therefore, requests reconsideration of Applicant's Request for Corrected Filing Receipt. Such corrections have been made in red ink to the attached Filing Receipt.

Applicant does not believe there is a fee connected with the filing of this petition, however, if any fees or charges are necessary, please charge our Deposit Account No. 07-1180. If the Examiner has any further questions relating to this application, Applicant's attorney may be reached at (248) 647-6000.


Respectfully submitted,

Date: 3/12/04


Avery N. Goldstein, Reg. No. 39,204
Attorney for Applicant
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
280 N. Old Woodward Ave., Ste. 400
Birmingham, MI 48009-5394
(248) 647-6000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, addressed to: Attn. Office of Initial Patent Examination, Customer Service Center, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 31322-1450, on March 12, 2004.


Janice R. Kuehn



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth D. Eisenbraun et al.

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COPY

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Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

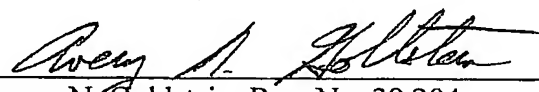
Applicant in the above-identified patent application respectfully requests a corrected Filing Receipt to correct the Domestic Priority data. Corrections have been made in red ink to the attached Filing Receipt.

If any fees or charges are necessary, please charge them to our Deposit Account No. 07-1180.

If the Examiner has any further questions relating to this application, Applicant's attorney may be reached at (248) 647-6000.

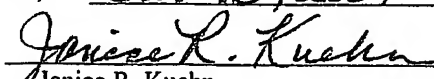
Respectfully submitted,

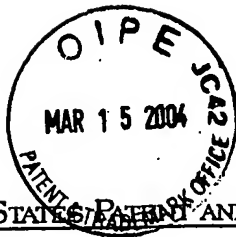
Date: 2/10/04


Avery N. Goldstein, Reg. No. 39,204
Attorney for Applicant
Gifford, Krass, Groh, Sprinkle,
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, addressed to: Attn. Office of Initial Patent Examination, Customer Service Center, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 21322-1450, on Feb. 10, 2004.


Janice R. Kuehn



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1430
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/691,765	10/23/2003	3727	385	KDE-18103/03	2	6	2

CONFIRMATION NO. 6717

25006
GIFFORD, KRASS, GROH, SPRINKLE
ANDERSON & CITKOWSKI, PC
280 N OLD WOODARD AVE
SUITE 400
BIRMINGHAM, MI 48009

FILING RECEIPT



OC000000011757983

Date Mailed: 01/27/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kenneth D. Eisenbraun, Bloomfield Village, MI;
Richard G. Leveille, Fort Gratiot, MI;

Domestic Priority data as claimed by applicant

This application is a DIV of 09/951,082 09/12/2001 PAT:6,637,617

which is a non-provisional of SN 60/231,797 filed 09/11/2000

Foreign Applications

If Required, Foreign Filing License Granted: 01/23/2004

Projected Publication Date: 05/06/2004

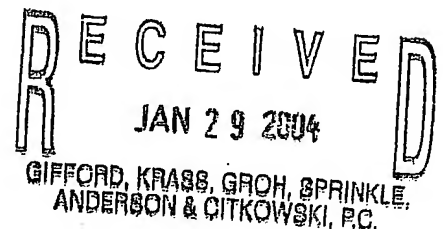
Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Inflatable vehicle cup holder



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

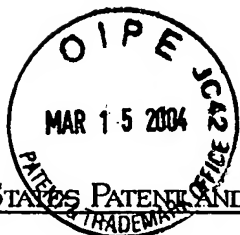
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/691,765	10/23/2003	Kenneth D. Eisenbraun	KDE-18103/03

25006

GIFFORD, KRASS, GROH, SPRINKLE
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280 N OLD WOODARD AVE
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CONFIRMATION NO. 6717



OG000000012050594

RECEIVED
MAR 11 2004

GIFFORD, KRASS, GROH, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.

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Date Mailed: 03/08/2004

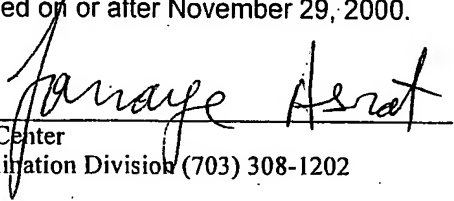
RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: **Country, Application number, Filing date.**
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

- ☒ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.


 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY